



# BROWNFIELDS

## Federal/Pilot Dialogue

U.S. EPA Region III · Post Workshop Overview · 1998

### EPA Region III Hosts Dialogue for Partners in Redevelopment

On June 16 and 17, 1998, representatives from more than 20 organizations and federal agencies, 14 communities, and four Mid-Atlantic state agencies, participated in the "Brownfields Federal/Pilot Dialogue" hosted by the U.S. Environmental Protection Agency (EPA) Region III.

Held at the Franklin Institute Science Museum in Philadelphia, the two-day workshop provided a forum for participants to discuss redevelopment issues communities within Region III are facing, and ways to help address these issues by implementing the Brownfields National Partnership Action Agenda on a regional level.



*"We need to pull a matrix of support together to help build a bridge between the federal government and the local communities, with the common goal of seeing these urban areas revitalized."*

W. Michael McCabe,  
EPA Regional Administrator

Brownfields provide a focal point for integrating key aspects of modern life such as economic development, health and environmental protection, transportation, finance, job training and education. Announced by Vice President Gore in 1997, the Brownfields National Partnership seeks to protect health and the environment by assessing and cleaning up contaminated properties, creating jobs, providing opportunities for private investment and expanding local economies.

Although more than 100 commitments from more than 25 organizations and federal agencies are included in the Brownfields National Partnership Action Agenda, representatives from brownfields pilots within the region expressed uncertainty about how these commitments could impact their communities. EPA Region III, along with the regional Federal Partners, recognized the need to make the commitments tangible on a local level.

A first step in this process was informing communities about the various tools available from each of the Federal Partners. To prepare for the workshop, EPA Region III Brownfields Coordinators, along with the other Federal Partners, developed fact sheets outlining many of the federal resources available for community development, how these resources can be accessed, and a contact at each of the agencies. Each participant received a copy of the resource guide "yellow pages" containing these fact sheets prior to the event.\*

The workshop opened with representatives from communities throughout the region outlining their revitalization goals and sharing specific issues or challenges that could benefit from broader involvement by the Federal Partners. Discussions throughout the entire workshop fo-

*"This event was a tremendous educational experience. It was great to see all of the different cities and federal representatives at the table to try to solve major issues that brownfields redevelopment addresses."*

Brent Coleman,  
Washington D.C. Department of Health

cused on the communities and Federal Partners making connections to address these issues. Panel discussions also addressed specific key issues previously raised by the brownfields pilots. In addition, community representatives met with federal representatives one-on-one to explore specific connections with their communities. ■

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The following pages provide overviews of workshop discussions focusing on key redevelopment issues.

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*\*If you would like a copy of the resource guide "yellow pages" outlining the resources available from each of the federal partners participating in the dialogue, please contact Brigid Lowery, EPA Region III Brownfields Coordinator. (See insert.)*

# Financing the Dream

Economic development, liability, and financing are all interrelated in the subject of brownfields redevelopment. However, all stakeholders agree that without funding, brownfields redevelopment cannot happen. In many cases funding is scarce, investors are wary and the communities often do not know where to turn to find financing options.

Several issues surrounding economic development also surfaced from the pilots. The pilots were interested in the role the partners could play in economic development, how economic development programs interface with local lending institutions and how they can access aid.



*The Finance panel discusses funding options for brownfields projects.*

## The Federal Partners

The **Economic Development Administration** (EDA) helps communities generate and retain jobs, and stimulates industrial and commercial growth in economically distressed areas. EDA does this via programs including revolving loan funds to promote local investment in communities, planning to help communities develop long-range plans, and technical assistance grants to help determine the feasibility of development plans.

**EPA**, too, has funding mechanisms in place. EPA helps finance brownfields site assessments via the Brownfields Site Assessment Demonstration Pilot and provides targeted site assessment. Various grants are available for community revitalization activities such as job training and development partnerships, and sustainable development.

In the arena of brownfields redevelopment, the missions of the **Department of Housing and Urban Development**

(HUD) and EPA converge. Both agencies are committed to implementing strategies that will revitalize communities and return blighted areas to productive uses. The primary resources that HUD offers for financing brownfields is the Community Development Block Grant (CDBG). HUD awards CDBGs directly to state and local governments to revitalize neighborhoods, expand affordable housing and economic opportunities, and improve community services. Funds from this entitlement program may be used for parks, infrastructure improvement and environmental cleanup.

Another tool that HUD offers is the Section 108 Program. Under this program, state and local governments receiving CDBGs can help fuel large economic development projects and other revitalization activities. Governments borrowing Section 108 funds must pledge their current and future CDBG allocations as security for the loan.

HUD also awards competitive Economic Development Initiative (EDI) grants to local and state governments in conjunction with Section 108 loans. The EDI may be used for additional security for the loan, thereby reducing the exposure of the CDBG funds for project costs or to reduce the interest rate. HUD created the brownfields EDI (BEDI) to spe-

cifically target brownfields activities. HUD's commitment to brownfields development is evident in the allocation of \$25M to the BEDI. Mike Szupper, Community Builder, HUD stressed that HUD is looking for innovative ways in which to leverage HUD funding.

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*"If [revitalizing communities] was an easy thing to do, you wouldn't need us. Our opinion is that if you come to us, we will do everything we can to help."*

*Mike Szupper,  
Community Builder, HUD*

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By fostering close relationships with the pilots, HUD can help develop innovative ways to put CDBG money to work. For example, Bucks County is using a float-fund loan out of CDBG dollars to support construction and bridge financing in brownfields deals. They have not tested the program, but it is up and ready to go.

A smaller, yet still vital, part of financing brownfields redevelopment is helping small businesses get loans. The **Small Business Administration** (SBA) offers loan programs that help with brownfields redevelopment. According to John Flemming of SBA, the administration "does not directly offer community redevelopment grants, nor does SBA become involved in site cleanup." However, SBA will work with communities

## Did You Know...

- The **OCC** and the **FDIC** are not only banking regulators, they are also Brownfields Federal Partners. Along with the Federal Reserve Bank and the Office of Thrift Supervision, they are willing to convene meetings with local lenders to discuss lending options for brownfields redevelopment.
- FDIC has an internet site providing a list of their sale properties ([www.fdic.gov](http://www.fdic.gov)).
- Under the Community Redevelopment Act (CRA), large banks will be examined on their ability to provide community development lending. However, the regulators stress that banks will not make loans just to receive CRA credit—the projects must be economically viable. "CRA credit is the icing on the cake."
- The Federal Balanced Budget Act of 1997 contains a provision for brownfields redevelopers that lets them take a deduction for cleanup costs in the year the cost is incurred. The tax incentive, estimated at \$1.5B, is expected to leverage \$6B in private investment throughout the United States.
- The **FHFB** is proposing two regulations relating to community investment for comment. The Community Investment Cash Advance Program and the **FHLB** Stand-by Letters of Credit. Please see either FHFB's internet site ([www.fhfb.gov](http://www.fhfb.gov)), or Federal Register Vol. 63, #89, p. 25718 - 25733.

on a case-by-case basis to tailor funding options. The proceeds of SBA loans can be used for most business purposes.

John Garrity of the **Department of Transportation's (DOT's) Federal Transit Authority (FTA)**, stated that DOT funds are directed to transportation purposes and do not explicitly target brownfields or community redevelopment. However, new DOT policy encourages states and local transportation agencies to address brownfields redevelopment in transportation planning and during project development. FTA can also offer support in enhancing existing infrastructure and offers a grant program to plan scenic by-ways.

Steve Rapley of the **Federal Highway Administration (FHA)** suggests pilots contact their local transportation management association, who have relationships with the business community. **The Federal Railroad Administration's (FRA)** role is to ensure, promote and enforce railroad safety. Jeff Moore stated that FRA will assist communities in convening a meeting with the railroads and share examples of successful railroad partnerships with communities in Florida and North Carolina.

Although the **Forest Service** of the **Department of Agriculture (USDA)** does not get involved in remediation efforts, John Courier stressed that the Agency is eager to work with communities in developing urban green spaces. The Forest Service offers grants via the state forestry agencies and has an Urban Resource Partnership to aid communities in their green space development efforts.

#### **Non-Monetary Program Support**

Many of the federal partners can not offer financial aid to the pilots, but can offer resources in planning and work force development. Agencies such as the **U.S. Army Corps of Engineers**, the **National Oceanic and Atmospheric Administration** and the **National Park Service** have programs in place to offer support.

## **Chicago Hits 108 for Homerun**

"The bottom line is that brownfields redevelopment requires an up-front funding source. [Communities] shouldn't be afraid of the 108 because it is really the best source [for up-front funding]," said Mary Culler, Assistant Commissioner for Industrial Development, City of Chicago, during the Wednesday videoconference.

HUD's Section 108 Program is the funding scheme that has allowed the Chicago pilot to access \$50M in federal money to revitalize the city. The City accessed the HUD 108 to redevelop four abandoned, polluted industrial sites. Today, three of the sites have resulted in new construction and the creation of at least 100 jobs.

To facilitate paying back the \$50M loan, Chicago is using Tax Increment Financing (TIF). In brief, the property value of a site is assessed before being redeveloped, and for a 23-year period that rate will be used to pay local and state taxes. As the site is put back into use, the increase in property value generates additional tax revenue that is used to pay off the 108 loan.

The Federal Partners are committed to ensuring that their programs are successful and welcome the opportunity to meet to discuss programs and options.

#### **The Financial Institutions**

Although the aid that agencies offer is important, pilots are looking for additional capital to make the projects economically feasible. In reviewing the showcase proposals, Stanley Newman of the **Federal Housing Finance Board (FHFB)**, noted that many communities approach brownfields as a government issue, and therefore look for government solutions. The private sector, however, can aid community development efforts. "They are looking for feasible projects. Give us a project that works and we will help you get there."

The member banks of the **Federal Home Loan Bank (FHLB)** system can assist communities in brownfields development efforts through various mechanisms such as the Community Investment Program (CIP) and the Affordable Housing Program (AHP). Bob Warwick



*Michael Szupper, HUD, and Mary Culler, City of Chicago explain the benefits of HUD 108 loans.*

Michael Szupper notes that a certain amount of risk is associated with the 108 loan because the CBDGs are used as security. However, if the city, state, and local authorities have mapped out a comprehensive and viable development plan, the risk may be well worth it. Chicago was willing to take the risk, and HUD has supported them in this venture. "Those who take the first plunge like it and tend to come back," said Szupper. ■

of the FHLB of Atlanta said the banks can assist in developing layered funding schemes that are attractive to the communities. "We're a very attractive source of funding. We're not regulators but we're also not retail bankers. We're wholesale bankers. We can [make loans] at a very attractive price," Warwick said. It may be difficult to find a loan officer who knows all the programs. He suggested pilots have the officer get in touch with him or Jim Chaney of the Pittsburgh Bank to discuss potential options.

In addition to the support federal partners can offer in convening meetings with lenders (see *Did You Know* on page 2), they also inform and educate bankers about brownfields redevelopment. **The Office of the Comptroller of the Currency (OCC)** is leading the effort to develop guidance on lender liability and developing a brownfields fact sheet specifically designed for bankers. FDIC issues advisories and reports to address important environmental financing issues including brownfields redevelopment tools. ■



# Community Involvement in the Brownfields Arena

Active community involvement in brownfields redevelopment ultimately fosters the success of a project. It is an important issue for the pilots who are committed to informing their communities about site activities and understand the need for community acceptance of any development project. It is also an important issue for the federal and state partners, who are interested in involving the community in redevelopment initiatives, and in some instances mandated to do so.

The issues surrounding community involvement are numerous and complex. However, the pilots had consistent questions regarding community involvement:

- What is the role of the government or pilots in informing the communities of remedial and development activities at a site?
- How can necessary information be disseminated in a timely manner to affected communities?
- Where can the public go to get answers about issues, such as the public health threat associated with a brownfields site?

These questions center around two broader issues: the responsibility to inform the public about contamination and health effects surrounding any site, and



David Levy, Baltimore City, discusses the benefits of involving a community in the redevelopment process.

the public's right to have input into how the site or property will be redeveloped. Although no uniform process was defined, the Federal Partners, the states and

communities within the region provided examples of how they individually address community involvement.

## Informing the Community

According to the State Partners, the extent of community involvement varies depending on how a site is redeveloped and reused.

Maryland's institutional requirement for public participation occurs when cleanup is going to happen, not when an issue has been identified. "If cleanup is going to be done, there is always an opportunity for a public information meeting in Maryland," said Shari Wilson of the Maryland Department of Environment (MDE). Maryland, like most states, is mandated to hold public information

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*"It is vital to the success of our pilot program that the public is involved in the project."*

Don Mains,  
Ford City

meetings when cleanup is involved, but Wilson adds that they are a good tool for any brownfields redevelopment initiative, and the state is willing to help facilitate arranging them.

In Baltimore, at the community planner level, there is no formal ordinance institutionalizing public participation. However, as a practical matter, community planners work with residents on redevelopment plans. Other pilots in Region III also include community residents in their brownfields task forces to ensure public participation.

One of the most critical aspects of community involvement is in deciding how the site will be reused. Open dialog with community groups from the onset can help both sides determine a reuse that will benefit the community—regardless of who takes the lead in fostering this dialog.

Craig O'Leary of the **City of Wheeling/American Electric Power** stated



Robert Loughery, Bucks County, listens to Ford City's presentation, demonstrating the use of "Web TV" for public access to the City's internet site with information about their renewal efforts.

([www.vicon.net/~lobo/fordcity/index.html](http://www.vicon.net/~lobo/fordcity/index.html))

that West Virginia will work as a liaison with communities to find sites appropriate for reuse, and will work with all stakeholders in planning and redeveloping that site. This proactive approach ensures that all stakeholders are on board with the development plans.

## Aid Available From the Partners

Many of the partners find that communities often turn to them only if there is a problem, even though they also offer aid that could be accessed before a problem arises. When a community does need assistance, several of the Federal Partners are ready to respond.

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*"What is the responsibility of the federal partners in bringing the community into the process? What is the responsibility of the pilots to do this?"*

Emery Graham,  
City of Wilmington

The **Agency for Toxic Substances and Disease Registry (ATSDR)**, for instance, can help community groups interpret site activity reports and determine whether there may be a public health concern at a brownfields site. Jack Kelly of ATSDR noted that anyone can petition the Agency for data, and that ATSDR will perform a site health risk assessment upon request. Kelly stresses, however, that ATSDR can only operate

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in an advisory role because the agency has no regulatory authority.

The **Community Relations Service** (CRS), a division of **Department of Justice** (DOJ), offers assistance if environmental justice (EJ) is an issue of concern for the community. CRS manages racial conflict in the community by offering mediation and conciliation services under the authority of Title X of the 1964 Civil Rights Act. CRS can provide staff

hours and technical assistance to prevent disputes that threaten to disrupt community development initiatives.

The **National Park Service** (NPS) offers the Rivers, Trails and Conservation Assistance (RTCA) Program to provide assistance directly to communities to protect the rivers and streams in their own backyards—and to build hiking and biking trails. RTCA can lend expertise in consensus building and helps commu-

nities harness public involvement to identify resources, understand the issues, set goals, and choose among alternatives. In addition, the **Forest Service** can offer support to the community in deciding how to reuse abandoned land.

However the pilots work to foster public participation, all of the partners recognize that without community support, the brownfields redevelopment initiative cannot succeed. ■

## The State Role in the Cleanup of Brownfields

States have had a long-standing role in dealing with community revitalization and the cleanup and reuse of contaminated properties. Even before the term brownfields became widespread many states were developing programs to encourage and regulate brownfields cleanups. According to Tom Leaver of the **Pennsylvania Department of Environmental Protection**, “encouraging the private sector to clean up and reuse these sites stimulates economic growth, encourages local government partnerships with businesses, and saves [states] millions of dollars in cleanup costs.” The states play a key role in the clean-up process.

Signed into Law in May 1995, Pennsylvania’s Land Recycling Program encourages the recycling and redevelopment of old industrial sites. “This [reuse of property] provides a benefit to [the economy] and reduces the pressure to develop prime farmland, open areas and forests,” said Leaver. The program provides developers with cleanup standards and releases them from liability when the cleanup standards are achieved. The program also provides funding for environmental assessments and cleanups.

Under Maryland’s VCP, new developers and prospective purchasers can clean up contaminated property and not



*Tom Leaver, PADEP, Jim Mosby, WVDO, Janet Bearden, D.C. Health Department, and Shari Wilson, MDE, discuss their states' role in community redevelopment.*

be held liable for contamination they did not cause. Maryland also offers the Brownfields Revitalization Incentive Program, which provides property tax credits for redeveloping brownfields.

Although the state will always provide regulatory management and oversight at any brownfields site redevelopment project, the extent of Maryland’s involvement in the redevelopment process usually depends upon the other parties involved. According to Shari Wilson of **MDE**, “Responsible parties and prospective purchasers have different approaches in their willingness to approach risk. Some partners want to know what state regulators are thinking at every step in the process while others do not want the state involved.”

In addition to their VCPs, both Maryland and Delaware have also signed

Memorandums of Agreement with EPA that define the roles and responsibilities of the regions and the states.

Although West Virginia’s involvement with EPA’s Brownfields Program is relatively new, the state has a vested interest in the redevelopment of brownfields sites. “The state’s terrain is such that we do not have a lot of available industrial sites, but, like many of the other communities in Region III, there is also pressure to keep the greenfields green,” said Jim Mosby, **West Virginia Development Office**. Therefore, the Development Office is working as a liaison with communities to help identify sites and work with stakeholders in planning and redeveloping properties.

The District of Columbia has established a brownfields task force comprised of various governmental offices. The **Washington D.C. Department of Health** is the lead agency for the District’s brownfields pilot. Janet Bearden, a representative from the Health Department, noted that this unique situation allows the Health Department “to approach brownfields development in a holistic manner.” The Department hopes to use this perspective to create a long-term, self-sustaining, efficient brownfields program for the District. ■

## Creating Jobs in the Community

Workforce development and job training are critical links between environmental cleanup and safe and sustainable community redevelopment. These efforts help guarantee that brownfields cleanup and redevelopment projects can access a trained workforce and that community members have an opportunity to compete in the economic mainstream. The workforce may be trained to move into new jobs or trained in remediation skills that they can take to other projects. Several of the Federal Partners provide resources or programs to help residents take advantage of jobs created by brownfields redevelopment.

The **Department of Labor** provides block grants to the states for creating additional job opportunities for the hardest-to-employ recipients of the Temporary Assistance for Needy Families program. The states, in turn, are required to pass these funds to local **Private Industry Councils (PICs)**, or workforce development boards, which oversee and guide job training programs. "We use the state funds to cover 100% of the reasonable cost of training programs which transition the unemployed back to work," said Suzanne Holloman, of the PIC of Philadelphia.

The PICs may also distribute state funds to economic development corporations,



*Barbara St. Armand, Impact Services Corp., Greg Janiec, Roy F. Weston, and Suzanne Holloman, PIC of Philadelphia, discuss job development and training opportunities.*

such as **Impact Services Corporation**, to develop training programs. Impact is a private, non-profit community organization specifically designed to assist low-income families, the chronically unemployed and those in need of job procurement skills. Impact has over 19 programs focusing on helping people improve their technical skills and quality of life through education and employment.

The **Department of Education** also has a structure in place to develop job training programs tailored to a specific community's needs. The agency is supporting various college and adult-education programs designed to provide training for jobs in the community.

If there is a need for a labor force, the **Veteran's Administration (VA)** can

provide the workers. Although the VA has a number of programs designed to assimilate unemployed veterans back into the workforce, they are currently developing an additional training program to focus on training veterans for brownfields cleanup and redevelopment projects.

EPA brownfields job training and development pilot funds may be used to train residents in communities impacted by brownfields in the procedures for handling and removing hazardous substances. EPA also supports the **Hazardous Materials Training and Research Institute (HMTRI)** in their efforts to assist educational institutions in establishing brownfields focused curriculum.

The **National Institute of Environmental Health Sciences (NIEHS)** offers recruitment and training programs for young people who live near hazardous waste sites for work in the environmental field. The programs provide pre-employment job training, including literacy, life skills, environmental preparation and other related construction courses.

These various job training programs coupled with aggressive programs to entice community reinvestment provide a strong foundation for future community economic development. ■

### Inside: Post Workshop Overview of the 1998 Brownfields Federal/Pilot Dialogue



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## Coming Soon!

The “yellow pages” outlining the resources available from each of the Federal Partners participating in the dialogue, and links to their internet sites, will soon be available on EPA Region III’s internet site. ([www.epa.gov/reg3hwmdbrownfld/hmpage1.htm](http://www.epa.gov/reg3hwmdbrownfld/hmpage1.htm))



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